

MINUTES

**CITY OF IMPERIAL BEACH
CITY COUNCIL
PLANNING COMMISSION
PUBLIC FINANCING AUTHORITY
HOUSING AUTHORITY
IMPERIAL BEACH REDEVELOPMENT AGENCY SUCCESSOR AGENCY**

NOVEMBER 2, 2016

**Council Chambers
825 Imperial Beach Boulevard
Imperial Beach, CA 91932**

REGULAR & CLOSED SESSION MEETINGS - 6:00 P.M.

REGULAR MEETING CALL TO ORDER

Mayor Dedina called the Regular Meeting to order at 6:00 p.m.

ROLL CALL

Councilmembers present: Patton, Bragg, Bilbray (arrived at 6:04 p.m.)
Councilmembers absent: None
Mayor Present: Dedina
Mayor Pro Tem Present: Spriggs
Staff Present: City Manager Hall, City Attorney Lyon, City Clerk Hald, Assistant City Manager Dush, Public Works Director Levien, Assistant Public Works Director Helmer, Fire Chief French, Administrative Services Director Bradley

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Lauren Hinz, a 3rd grader from Imperial Beach Charter School.

AGENDA CHANGES

In response to Mayor Pro Tem Spriggs' request to ask questions regarding some expenditures listed on the Warrant Register (Item No. 2.1), City Manager Hall stated those questions can be addressed prior to consideration of the Consent Calendar.

MAYOR/COUNCIL REIMBURSEMENT DISCLOSURE/COMMUNITY ANNOUNCEMENTS/REPORTS ON ASSIGNMENTS AND COMMITTEES

Councilmember Patton commented that he saw more kids trick or treating in Imperial Beach than in previous years which is a great indicator of what's happening in the City. He reported on his attendance at the South County Economic Development Council (SCEDC) meeting and announced one-year internship positions are available at the SCEDC. He also announced Military Appreciation Day is on November 12.

Councilmember Bragg reported that MTS has increased its outreach regarding the new ADA certification process and she announced the IB Historical Society will participate in Military Appreciation Day.

Councilmember Spriggs reported that he had no committee assignments last week. He spoke about his recent trip to North Carolina where he educated people on the importance of voting and he encouraged everyone to vote regardless of party affiliation.

Mayor Dedina spoke about an article on having a voting plan and encouraging family and friends to follow their voting plan. He spoke about another article that stated Halloween is a great indicator of community health and vibrancy. He thanked staff for the new pull-up bars on Seacoast Drive and the new workout center at Veterans Park and thanked the Chamber of Commerce for organizing Military Appreciation Day. He announced that last week he attended a press conference in Playas de Tijuana at the location where the state of Baja deposits 40 million gallons of mostly raw sewage on the beach every day. There was a discussion with

residents about sewage making its way to Imperial Beach and Coronado which is not acceptable. He announced an upcoming meeting with Ernesto Ruffo Appel, Senator in Mexico and former Governor of Baja, regarding this issue and efforts to pressure the Mexican government to clean up their mess.

COMMUNICATIONS FROM CITY STAFF

None.

PUBLIC COMMENT

Dante Pamintuan commented on Councilmember Spriggs' open letter about local candidates not receiving campaign funds and influence from outside contributors. He spoke in opposition to the Mayor endorsing a local candidate and alleged him of having conflicts of interest.

Mayor Dedina clarified that his wife is not employed by the San Diego Foundation.

PRESENTATIONS (1)

None.

CONSENT CALENDAR (2.1-2.6)

Administrative Services Director Bradley and City Clerk Hald responded to Mayor Pro Tem Spriggs' questions about a vehicle purchase and an expenditure for the Symphony by the Sea event.

MOTION BY SPRIGGS, SECOND BY PATTON, TO APPROVE CONSENT CALENDAR ITEM NOS. 2.1-2.6. MOTION CARRIED UNANIMOUSLY.

2.1 RATIFICATION OF WARRANT REGISTER. (0300-25)

City Council ratified the warrant register.

2.2 ADOPTION OF RESOLUTION NO. 2016-7747 ACCEPTING THE 2016 STATE HOMELAND SECURITY GRANT (SHSG) ALLOCATION OF \$20,347 IN THE FORM OF REIMBURSEMENT FOR THE PURCHASE OF FIVE HANDHELD RADIOS FOR FIREFIGHTER USE IN EMERGENCY RESPONSES. (0390-86)

City Council adopted the resolution.

2.3 SECOND READING AND ADOPTION OF ORDINANCE NO. 2016-1158, AMENDING CHAPTER 8.30 OF THE CITY OF IMPERIAL BEACH MUNICIPAL CODE PERTAINING TO URBAN RUNOFF MANAGEMENT AND DISCHARGE CONTROL; REPEALING CHAPTER 8.31 PERTAINING TO STORM WATER/URBAN RUNOFF POLLUTION REDUCTION CHARGE; REPEALING CHAPTER 8.32 PERTAINING TO THE STANDARD URBAN STORMWATER MITIGATION PLAN; AMENDING CHAPTER 15.54, PERTAINING TO GRADING PERMITS AND PLANS; AND AMENDING SECTIONS 16.12.090(A)(4), 18.84.050, AND 19.25.060(G)(1)(a). (0770-65 & 0770-95)

City Council waived further reading and adopted Ordinance No. 2016-1158.

2.4 NOTIFICATION OF TRAVEL: COUNCILMEMBER SPRIGGS IS PLANNING TO ATTEND THE LEAGUE OF CALIFORNIA CITIES 2016 LEAGUE LEADERS ORIENTATION AND STRATEGIC PLANNING WORKSHOP ON NOVEMBER 9-11, 2016. COUNCILMEMBER SPRIGGS SERVES AS THE VICE-CHAIR OF THE HOUSING, COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE FOR THE LEAGUE. THE LEAGUE OF CALIFORNIA CITIES WILL COVER ALL COSTS WITH THE EXCEPTION OF TRAVEL AND INCIDENTAL EXPENSES. (0410-60)

2.5 ADOPT RESOLUTION NO. 2016-7746 AWARDED A PUBLIC WORKS CONTRACT TO WIT: FY 15-16 ANNUAL MAINLINE REPAIRS PROJECT NO. W16-201. (0830-10)

City Council adopted the resolution.

2.6 RESOLUTION NO. 2016-7749 TO AWARD TRAFFIC ENGINEER SERVICES CONTRACT TO STC TRAFFIC, INC. FOR ON CALL TRAFFIC ENGINEERING SERVICES TO THE CITY FOR A MAXIMUM OF FIVE YEARS. (0750-05)

City Council adopted the resolution.

ORDINANCES – INTRODUCTION/FIRST READING (3.1)

3.1 AN INTRODUCTION OF ORDINANCE NO. 2016-1159, AMENDING SECTIONS 8.38.040 AND 8.38.050 OF THE CITY OF IMPERIAL BEACH MUNICIPAL CODE PERTAINING TO SUBMISSION AND REVIEW OF WASTE MANAGEMENT PLANS. (0770-95)

Assistant Public Works Director Helmer reported on the item.

City Clerk Hald announced no speaker slips were submitted.

City Clerk Hald read the title of Ordinance No. 2016-1159 “AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF IMPERIAL BEACH, CALIFORNIA, AMENDING SECTIONS 8.38.040 AND 8.38.050 OF THE CITY OF IMPERIAL BEACH MUNICIPAL CODE PERTAINING TO SUBMISSION AND REVIEW OF WASTE MANAGEMENT PLANS.”

MOTION BY BRAGG, SECOND BY SPRIGGS, TO INTRODUCE ORDINANCE NO. 2016-1159 BY TITLE ONLY, WAIVE FURTHER READING IN FULL, AND SET THE MATTER FOR A SECOND READING AND ADOPTION AT THE NEXT REGULAR CITY COUNCIL MEETING OF NOVEMBER 16, 2016. MOTION CARRIED UNANIMOUSLY.

PUBLIC HEARINGS (4)

None.

REPORTS (5.1-5.4)

5.1 DISCUSSION IN RELATION TO THE RECOMMENDATION FROM THE PARKS & RECREATION COMMITTEE REGARDING A DOG PARK IN VETERANS PARK. (0920-70 & 0920-90)

City Manager Hall introduced the item.

Management Analyst Veal announced correspondence in opposition to the dog park was submitted as last minute agenda information and he gave a PowerPoint presentation on the item. He noted that a dog park was the second highest requested facility based on the Parks and Recreation Committee’s (PRC) citywide survey. He reported that the three adjacent neighbors were in general support of the item with a few suggestions: allowing them continued secured access to the park and increasing the height of low property fence lines for privacy and security. He reviewed the proposed location and potential features of the dog park.

Tim O’Neal, PRC Chairperson, spoke about the history of trying to locate a dog park in Imperial Beach and reported on the PRC’s efforts in selecting the proposed site.

Councilmember Bragg encouraged Mr. Veal to consider ADA access, to install waste receptacles, and have clear hours, rules and regulations.

Tim O’Neal submitted a speaker slip in support for the item.

Candy Unger indicated support for the item (she did not wish to speak).

Equilla Luke expressed concern about owners not picking up after their dogs. She asked the City Council to consider a public campaign to encourage people to pick up after their animals, she volunteered to assist with the issue, and she supported having a dog park.

Toni Nagy spoke in support of the item. She commented that in Washington, D.C. the fine is \$500 for not picking up after pets. She supported having an entrance with a double gate.

Ralph Preston stated he was not opposed to a dog park. He encouraged enforcement of Imperial Beach Municipal Code §6.04.080: Carrying instrument for removal of dog feces and actual removal of such feces required, he supported punitive measures, and he noted that rules mean nothing if they are not enforced. He also spoke about prioritizing funding for traffic safety equipment such as solar paneled signs between 3rd Street and 7th Street to inform people to keep the noise down, slow down, and respect others.

Erika Lowery expressed concern about the possibility of dogs jumping over the fence, dog waste, and long term issues related to maintenance of grass.

City Manager Hall clarified that staff is only seeking direction regarding the location of the dog park and stressed that the presentation is not for a final project.

Mayor Pro Tem Spriggs commended the PRC for their work on the issue. He commented on the large number of dog owners in Imperial Beach and looked forward to moving the process forward and coming up with a solution.

In response to Mayor Pro Tem Spriggs' question, City Manager Hall stated he will meet with the residents of St. James. He did not have the opportunity to speak with them yet because of the short timeframe between receiving the recommendation from the PRC and the City Council meeting.

Mayor Pro Tem Spriggs spoke in support for having the City help with facilitating the responsible culture influence the irresponsible culture in picking up after their pets and to also look into effective enforcement measures.

Jack Holden, Building Official, explained that when Code Compliance staff witnesses a person who doesn't pick up after their pet, staff gives the person a waste bag and a written message about the requirement to possess a means to collect their pet's waste and to pick up and dispose of the waste properly.

Mayor Pro Tem Spriggs also expressed concern about unleashed dogs especially along the beach. He noted that there would be no excuse for unleashed dogs in other locations of Imperial Beach if the City has a dog park. He asked for a comprehensive approach to address the matter of responsible dog ownership.

Councilmember Patton spoke in support for having picnic tables, a double gate, trashcans, and waste bags. He expressed concern about the neighbors, hours, maintenance of the park, and the matter of grass versus dirt. He supported a public campaign to have owners pick up after their dogs throughout the City and he supported moving forward.

Councilmember Bragg suggested PRC review the message provided by staff and that the Municipal Code and associated fines for not picking up after their pets are included. She cautioned residents about taking enforcement matters upon themselves and stressed that the City has Code Enforcement staff to handle it.

Mayor Dedina thanked City staff, the PRC and the public for their efforts. He spoke in support for a stewardship component for managing the park, the dog owners taking responsibility for working in partnership with the City, and possibly forming a dog park subcommittee to develop management of the dog park. He also stated the subcommittee should take the responsibility to educate users to keep the site clean. He also spoke about finding other potential locations for a dog park in Imperial Beach.

MOTION BY BRAGG, SECOND BY BILBRAY, TO APPROVE THE RECOMMENDATION OF THE PARKS & RECREATION COMMITTEE TO PLACE A DOG PARK IN VETERANS PARK AT THE PROPOSED LOCATION AND DIRECT STAFF TO PRESENT A DOG PARK PROPOSAL TO CITY COUNCIL FOR APPROVAL AND FUNDING APPROPRIATION AT A FUTURE MEETING. MOTION CARRIED UNANIMOUSLY.

5.2 RESOLUTION NO. 2016-7750 AWARDED THE DESIGN CONTRACT FOR THE SENIOR CENTER REBUILD (F16-501) PROJECT TO JEFF KATZ ARCHITECTURAL CORPORATION. (0930-20)

Assistant Public Works Director Helmer reported on the item.

City Manager Hall announced that the funding is coming from a Community Development Block Grant.

Councilmember Bragg spoke about the inadequacies of the old senior center and the outbuildings. She spoke about the opportunity to dream big, to have public outreach and she foresees the new center to be intergenerational and a hub of activity for the community.

Mayor Pro Tem Spriggs commented on how a renovated Senior Center is important for this community. He spoke in support for letting everyone know what the constraints are upfront to avoid disappointment.

Councilmember Patton stated public outreach is the key and desired to hear what the residents want. He spoke in support for dreaming big and being responsible.

Mayor Dedina spoke in support for an intergenerational center, reinvesting into the community through small, secure and smart investments and dreaming big.

MOTION BY BRAGG, SECOND BY PATTON, TO ADOPT RESOLUTION NO. 2016-7750 AWARDED THE DESIGN CONTRACT FOR THE SENIOR CENTER REBUILD (F16-501) PROJECT TO JEFF KATZ ARCHITECTURAL CORPORATION. MOTION CARRIED UNANIMOUSLY.

5.3 RESOLUTION NO. 2016-7748 TO AWARD PROFESSIONAL SERVICE CONTRACT TO KEYSER MARSTON ASSOCIATES (KMA) TO PREPARE A COST/BENEFIT ANALYSIS FOR THE PROPOSED RELINQUISHMENT OF STATE ROUTE 75. (0600-20)

Assistant City Manager Dush reported on the item.

In response to Mayor Dedina's question, City Manager Hall stated that staff asked Mr. Marra to look at the intangibles, some of the things we would be able to do as a City that we can't do with the road being a State route.

MOTION BY SPRIGGS, SECOND BY BRAGG, TO ADOPT RESOLUTION NO. 2016-7748 TO AWARD PROFESSIONAL SERVICE CONTRACT TO KEYSER MARSTON ASSOCIATES (KMA) TO PREPARE A COST/BENEFIT ANALYSIS FOR THE PROPOSED RELINQUISHMENT OF STATE ROUTE 75. MOTION CARRIED UNANIMOUSLY.

5.4 OWNER OCCUPIED BUILDING PERMIT FEE REDUCTION RESOLUTION NO. 2016-7741. (0390-55 & 0710-95)

Assistant City Manager Dush reported on the item.

Mayor Pro Tem Spriggs commented that the current fee structure for permits for privately owned residences is not a self-supporting activity. The newly reduced fees support home improvement and add more value in the end. He supported the item.

Councilmember Patton spoke in support of the item. He spoke in support for informing the public about the new fees through community education. He also spoke in support for evaluating the program after one year to see how it is working.

Mayor Dedina was in support of the item. He spoke about having an education campaign by utilizing the City's website, having an article in the IB Eagle & Times, and using social media. He also spoke about informing contractors of the new fees by email. He was proud of the City Council and City staff for supporting a proactive approach rather than a punitive approach.

Tim O'Neal indicated support for the item (he did not wish to speak).

**MOTION BY BRAGG, SECOND BY SPRIGGS, TO ADOPT RESOLUTION NO. 2016-7741
WAIVING BUILDING PERMIT FEES FOR HOMEOWNERS FOR SPECIFIED PROJECTS.
MOTION CARRIED UNANIMOUSLY.**

I.B. REDEVELOPMENT AGENCY SUCCESSOR AGENCY REPORTS (6)

None.

ITEMS PULLED FROM THE CONSENT CALENDAR (IF ANY)

None.

ADJOURN REGULAR MEETING

Mayor Dedina adjourned the Regular Meeting at 7:13 p.m.

CLOSED SESSION MEETING CALL TO ORDER

Mayor Dedina called the Closed Session meeting to order at 7:13 p.m.

ROLL CALL BY CITY CLERK

Councilmembers present: Patton, Bragg, Bilbray
Councilmembers absent: None
Mayor Present: Dedina
Mayor Pro Tem Present: Spriggs
Staff Present: City Manager Hall, City Attorney Lyon

CLOSED SESSION

1. CONFERENCE WITH LEGAL COUNSEL – ANTICIPATED LITIGATION

Significant exposure to litigation pursuant to Govt. Code section 54956.9(d)(2) (1 case)
Existing facts and circumstances pursuant to Govt. Code section 54956.9(e)(1)

2. CONFERENCE WITH REAL PROPERTY NEGOTIATORS

Pursuant to Government Code §54956.8:
Property: 1075 8th Street, Imperial Beach, CA 91932, APN 626-400-71-00
Agency Negotiator: City Manager and City Attorney
Negotiating Parties: County of San Diego
Under Negotiation: Instruction to Negotiators will concern price and terms of payment

Mayor Dedina adjourned the meeting into Closed Session at 7:13 p.m. and he reconvened the meeting to Open Session at 8:32 p.m.

Reporting out of Closed Session, City Attorney Lyon announced City Council discussed Closed Session Item Nos. 1 and 2, City Council gave direction and no reportable action was taken.

ADJOURN CLOSED SESSION

Mayor Dedina adjourned the Closed Session meeting at 8:33 p.m.

_____/s/
Serge Dedina,
Mayor

_____/s/
Jacqueline M. Hald, MMC
City Clerk